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CIVIL LIBERTIES NEWS

Published monthly by
CHICAGO CIVIL LIBERTIES COMMITTEE
203 North Wabash Avenue CHICAGO, ILLINOIS

VOL. II FEBRUARY, 1949 No. 2

KELLY GOES ON RECORD

Mayor Edward J. Kelly Answers C.C.L.C. Questionnaire
Courtney Makes Statement

(The Committee has prepared a questionnaire which appears at the conclusion of this article. The replies which have been received are published here without comment.—Ed.)

Office of the Mayor—City of Chicago
Edward J. Kelly, Mayor

Dr. John A. Lapp, Chairman
The Chicago Civil Liberties Committee
203 N. Wabash Ave.
Chicago, Ill. Feb. 2, 1949

My Dear Dr. Lapp:

I am pleased to respond to your inquiry concerning my position on civic questions involving civil liberties.

At the outset permit me to set down my general views on the subject of civil liberties. I believe that it is the American idea that government should interfere as little as possible in the personal affairs of persons. The chief function of government—certainly of local government—is to protect life and property and promote the general welfare through such activity as government can do more effectively than private enterprise. There ought to be very strong reasons for government doing anything else. Policing to protect life and property and to maintain order, and policing to enforce certain standards of moral conduct or of thinking are two different things and ought not to be confused. I have tried not to confuse them in my administration.

As an American citizen who was brought up to revere American ideals of democracy, I take seriously the Bill of Rights, which I believe protects all persons equally. I believe in maintaining and protecting the rights of free speech, of free press, of freedom of assemblage, and of freedom of thought and religion which are guaranteed to us citizens, myself included, by our federal and state constitutions. I never want to see in America, and certainly not in Chicago, which always has been a liberal city, any sort of moral, mental, or religious dictatorship such as we see in other lands. Americans want to worship as they please, think as they please, and do as they please, so long as they do not infringe upon the rights of others or violate properly enacted laws. I am such an American, and as Mayor I have always tried to keep those views in mind. I shall continue to do so.

We have had our troubles in Chicago due to general moral unrest, and have made some mistakes, but I believe that the civil rights of all citizens and all groups have been respected. Certainly it has been my desire that such rights be respected. The unemployed have been permitted to parade and otherwise demonstrate, being required simply to observe certain standards. The lawful rights of labor to picket have been respected and will continue to be. The city government has not interfered with public meetings of any kind and, indeed, has affirmatively protected the rights of public groups to hold meetings undisturbed so long as no law is violated. The official policy of the city is economic and political disputes is to take no sides and act only to enforce law impartially. These policies will be continued by me as Mayor.

I am proud of the fact that during my administration there has been more affirmative action for protecting and clarifying the legal rights of trade unions than during any other city administration. The Department of Law of the City of Chicago, during my administration and with my complete approval, has been especially emphatic in pointing out in its legal opinions the rights of labor. I call attention as but one example, to the opinion rendered on March 31, 1947—an opinion that received wide acclaim in labor circles for its forthrightness and clarity—in which the law department set down emphatically the principles that labor unions are lawful, that members of unions have the right to strike, and that picketing is lawful when peaceable and without the elements of coercion, intimidation, or disorder. I am advised that this opinion by the law department in my administration is considered by the labor movement one of the most important and helpful documents ever issued by the city.

As another example, I am happy to call your attention to another opinion rendered by the city law department of my administration on Sept. 14, 1948, which holds that leaflets and handbills whose only purpose is to present political, economic, and social views may be distributed in Chicago without in-

(Continued on Page 2)

Congress on Civil Rights
April 27-28, 1946
Maccabees Building
Detroit, Michigan

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Nominations for CONTINUATIONS COMMITTEE submitted by Organization Committee

Revels Cayton	National Negro Congress, N.Y.
Ira Latimer	Chicago Civil Liberties Committee
George Marshall	National Federation for Constitutional Liberties
Milton Kemnitz	" " "
A.J. Isserman	" " "
Nathan Witt	" " "
Milton Kaufman	Secretary, Congress on Civil Rights
Louis Colman	International Labor Defense
David Rothstein	" " "
Jack Raskin	Michigan Civil Rights Federation
Ernest Goodman	" " " "
Louis Burnham	Southern Negro Youth Congress
Josephine Nordstrand	Wisconsin Legislative Conference
Sander Genis	Twin Cities Council, Amalgamated Clothing Workers (Minneapolis-St.Paul)
Laurent [illegible]	Congress Arrangements, Nashville, Tenn
Tom Hand	Citizens United to Abolish the Rankin Committee
Mrs. Lulu White	Houston, Tex., NAACP
Anastasia Scott Dunton	Delta Sigma Theta (national delegate) Detroit
Mrs. Charlotte Bass	California NCPAC Los Angeles
Mrs. Ruth Slade	" "
Larry Rivkin	New York Civil Rights Conference and Veterans Against Discrimination
R. Christopher Bates	Little Rock, Ark., FTA Local 98
Irving Richter	UAW-CIO
Frank Donner	National Lawyers Guild
Henry Doliner	Nassau Cty.(NY) Committee for Human Rights
George Harper	Nashville, national delegate. Nat'l Conference of Methodist Youth
Prof. John Shepard	Michigan Civil Rights Federation
Alvin Loving	St. Matthews Episcopal Church, Detroit
U.E. Leichdy	Lansing, Mich., Federation of Labor
John T. Gojack	United Electrical Workers, Ft.Wayne, Ind. Dist.
H.B. Rittman	Chicago Civil Liberties Committee

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NEW YORK STATE CONFERENCE

ON

LEGISLATION FOR DEMOCRACY

FEBRUARY 14th and 15th, 1941 NEW YORK CITY

Arranged By

New York Conference for Inalienable Rights

305 Broadway Suite 1402 New York City

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CONFERENCE PROGRAM

Friday, February 14th

8:00 to 11:00 p.m. Opening Session — MECCA TEMPLE

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Saturday, February 15th

10:00 to 12:30 p.m. — HOTEL EDISON, 228 West 47 Street, NYC

Panel Sessions

1. Labor's Rights and Civil Liberties - Sun Room (Balcony)
2. Education & Opportunities for Youth - Edison Hall, 9th Floor
3. Social Welfare for the People - 7 Arts Room, 46 St. Entrance Down one flight

1:00 to 2:30 p.m. LUNCHEON MEETING — GRAND BALLROOM

Prominent Speakers — Reservations can be made 'til 12:30

2:30 to 4:00 p.m. Panel Sessions Continued — Same Rooms

4:15 to 6:00 p.m. GENERAL CLOSING SESSIONS — Grand Ballroom

---

1. All Conference sessions will start and end on time. Please be prompt.
2. Discussion at the Conference will be limited to the domestic problems of the population related to existing and pending legislation.
3. Written resolutions will be entertained only in the panels. No resolutions will be entertained by the chairmen of the general assemblies.
4. The purpose of the discussions in each panel will be to determine the most fruitful methods of coping with legislative threats to the civil rights and security of the people of New York State, and what program can be developed to meet these threats.
5. Delegate representation is open to all organizations except political parties.

New York Conference for Inalienable Rights, 305 Broadway, New York City

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CIVIL RIGHTS DEFENSE COMMITTEE

160 Fifth Avenue, New York City

Telephone CHelsea 2-8735

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Vice-Chairman
GEORGE NOVACK
Secretary

EMERGENCY APPEAL!

November 12, 1941

Dear Friend:

Today, in the Federal Courtroom at Minneapolis, 28 men and women are standing trial, each facing 16 years in prison and $10,000 fine. They are officers of Motor Transport and Allied Workers Industrial Union, Local 544-CIO and leaders of the Socialist Workers Party.

Prosecutor Anderson's opening statement to the Jury constituted the most sweeping assault upon civil liberties and labor's rights in American legal history. He declared that, regardless of overt acts, their opinions alone could prove the defendants guilty, citing, as evidence of "seditious conspiracy", the expression of socialist doctrines and trade union demands for higher wages. There is hardly a progressive activity or idea which could not become outlawed by convictions in this case. Precedent would be set for further government prosecutions against other trade unionists and minority groups.

This prosecution has been vigorously condemned by the CIO, Labor's Non-Partisan League, the American Civil Liberties Union, the Workers Defense League, the United Auto Workers, the Nation, the New Republic and other leading labor and liberal spokesmen.

The Civil Rights Defense Committee, authorized representative of the 28 defendants, needs $7,500 immediately to pay costs of this trial. We must provide food and relief for the defendants and their families, pay heavy court costs and legal fees, and prepare an appeal to the Supreme Court, if necessary.

The Minneapolis Federal Courtroom is now the main outpost in the fight to maintain civil liberties and labor's rights in the United States! We urge you to contribute immediately to our Defense Fund. The prosecution is trying to rush the case through to convictions! We must rush aid to stop that attempt!

Make checks payable to the Civil Rights Defense Committee, 160 Fifth Ave., New York City.

Sincerely yours,

James T. Farrell — Chairman

George E. Novack — Secretary

Endorsed By: THE AMERICAN CIVIL LIBERTIES UNION AND THE WORKERS DEFENSE LEAGUE

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Chairman

JOHN DOS PASSOS
Vice-Chairman

CARLO TRESCA
Vice-Chairman

GEORGE NOVACK
Secretary

December 24, 1941

Dear Mr. Stanley:

Judge Joyce has sentenced twelve of the eighteen defendants in the Minneapolis case to 16 month prison terms and six to 12 month terms. All eighteen defendants have been released on bail, pending appeal to the higher courts.

Our Committee in conjunction with the American Civil Liberties Union is preparing to carry this case up to the Supreme Court, if necessary, to test for the first time the constitutionality of the Smith "Gag" Act and to free the defendants. The chief counsel for the defendants, Albert Goldman, is conferring with ACLU representatives on the next steps in the legal procedure.

The CRDC must now undertake the task of mobilizing public support and raising the finances needed for the appeal.

We are enclosing herewith a reprint of an editorial from the Nation of December 13th. This expression of the importance of the Minneapolis case to free speech and civil liberties is typical of the reaction to the verdict in the labor and liberal press. If you could distribute some of these to your friends, we shall be glad to send more to you.

On behalf of the Civil Rights Defense Committee, we wish to thank you for your support in this important struggle to maintain civil liberties. We hope to carry through that struggle to the end with the resolve that there shall be no blackout for the Bill of Rights in the United States.

Sincerely yours,

George E. Novack

Secretary

SEASON'S GREETINGS.

PUBLICATION FILE

Endorsed by: THE AMERICAN CIVIL LIBERTIES UNION and THE WORKERS DEFENSE LEAGUE

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SUFFRAGE QUALIFICATIONS IN THE SOUTH

STATES (LISTED IN ORDER OF VOTE CAST)	AVERAGE VOTE CAST PRESIDENTIAL ELECTION 1928 & 1932: PERCENT OF POP. / PERCENT OF VOTING AGE	AVERAGE VOTE CAST PRESIDENTIAL ELECTION 1928 & 1932: PERCENT OF TOTAL WHITE POPULATION OF VOTING AGE (APPROXIMATE)	VOTING REQUIREMENTS ① — RESIDENCE	TAX PAYMENT — AMOUNT	TAX PAYMENT — CUMULATIVE	ALTERNATIVE REQUIREMENTS — PROPERTY	ALTERNATIVE REQUIREMENTS — LITERACY & UNDERSTANDING	ALTERNATIVE REQUIREMENTS — CHARACTER	DEMOCRATIC WHITE PRIMARY	REGISTRATION	PROOF OF QUALIFICATION	OFFICES FOR WHICH ONLY QUALIFIED VOTERS ELIGIBLE ②
SOUTH CAROLINA	10.6	18	STATE: 2 YRS. COUNTY: 1 YR. PRECINCT: 4 MOS.	$1.00 (NOT REQUIRED TO VOTE IN PRIMARY)	NO	OWNERSHIP OF $300. OF PROPERTY ON WHICH TAXES HAVE BEEN PAID.	ABILITY TO READ & WRITE ANY SECTION OF S.C. CONSTITUTION.		STATE-WIDE	PERIODIC (EVERY 10 YRS) (PERMANENT FOR THOSE REGISTER BEFORE 1888)	PROOF OF TAX PAYMENT CERTIFICATE OF REGISTRATION	MEMBERS OF LEGISLATURE, JUROR
MISSISSIPPI	14.5	28	STATE: 2 YRS. COUNTY: 1 YR. DISTRICT: 1 YR. (OR CITY OR TOWN)	$2.00	2 YRS.	NONE	READ, UNDERSTAND OR GIVE REASONABLE INTERPRETATION OF ANY SECTION OF MISS. CONSTITUTION.	NONE	STATE-WIDE	PERMANENT	SATISFACTORY EVIDENCE OF TAX PAYMENT (POLL BOOKS CONTAINING REFERENCE TO TAX COLLECTOR & REGISTRARS LIST)	ALL ELECTIVE OFFICES LOCAL & STATE JUROR
GEORGIA	16.2	25	STATE: 1 YR. COUNTY: 6 MOS. PRECINCT:	$1.00	FOR ENTIRE PERIOD OF LIABILITY.	OWNERSHIP OF 40 ACRES OF LAND OR $500. OF PROPERTY.	READ & WRITE ANY SECTION OF U.S. OR GEORGIA CONSTITUTION.	GOOD CHARACTER UNDERSTAND DUTIES & OBLIGATIONS OF CITIZENSHIP UNDER REPUBLICAN FORM OF GOVERNMENT.	NO STATE-WIDE RULE.	PERMANENT	TAX COLLECTOR'S LIST PURGED BY REGISTRARS.	ALL ELECTIVE COUNTY OFFICES
ALABAMA	18.4	28	STATE: 2 YRS. COUNTY: 1 YR. PRECINCT: 3 MOS.	$1.50	FOR ENTIRE PERIOD OF LIABILITY.	OWNER & RESIDENT OF 40 ACRES OF LAND OR $300. OF REAL ESTATE OR PERSONAL PROPERTY (TAXES FOR PREVIOUS YEAR MUST BE PAID)	READ & WRITE ANY SECTION OF U.S. CONSTITUTION.	EMPLOYED FOR GREATER PART OF YEAR PRECEDING REGISTRATION (UNLESS PHYS. LY ALL UNABLE TO WORK)	STATE-WIDE	PERMANENT (APPLICANT MAY BE REQUIRED TO STATE OWN AGE REGISTRARS NAMES OF EMPLOYERS ON PAST FIVE YEARS)	VOTERS LIST COMPILED BY PROBATE JUDGE.	ALL ELECTIVE OFFICES (FOR WHICH PRIMARIES HELD) CIVIL SERVICE APPOINTMENTS.
LOUISIANA	21.7	34	STATE: 2 YRS. COUNTY: 1 YR. PRECINCT: 3 MOS.	NONE (ABOLISHED 1934)		NONE	READ, WRITE & GIVE REASONABLE INTERPRETATION OF ANY CLAUSE IN U.S. OR LA. CONSTITUTION, OR REGISTRATION APPLICATION, WITHOUT AID OF UNABRIDGED DICTIONARY	GOOD CHARACTER & REPUTATION UNDERSTANDING DUTIES & OBLIGATIONS OF CITIZENSHIP IN A REPUBLIC WELL DISPOSED TO THE GOOD ORDER & HAPPINESS OF U.S. & LA.	STATE-WIDE	PERIODIC (EVERY 4 YRS) WITH REGISTRAR ANNUAL IN PARISHES POLL BOOK.	CERTIFICATE OF REGISTRATION FOR PRECEDING 2 YRS. IN PARISHES POLL BOOK (CORRESPONDS WITH REGISTRARS LIST)	MEMBERS OF LEGISLATURE, JUSTICES OF PEACE CONSTABLES CITY JUROR, LOCAL SCHOOL BOARDS, JUDGES OF COURTS OF APPEAL.
ARKANSAS	21.7	29	STATE: 1 YR. COUNTY: 6 MOS. PRECINCT: 1 MO.	$1.00	NO	NONE	NONE	NONE	STATE-WIDE	NONE (FORBIDDEN BY CONSTITUTION)	CERTIFIED LIST OF TAX COLLECTOR OR TAX RECEIPT.	JUSTICE OF PEACE. JUROR (GRAND ONLY)
VIRGINIA	23.3	31	STATE: 1 YR. COUNTY: 6 MOS. (OR CITY) PRECINCT: 30 DAYS	$1.50	3 YEARS	NONE	APPLICATION FOR REGISTRATION IN OWN WRITING & UNABRIDGED.	NONE	STATE-WIDE	PERMANENT	COUNTY TREASURERS LIST & REGISTRATION LIST.	ALL ELECTIVE OFFICES.
TENNESSEE	18.7	33	STATE: 1 YR. COUNTY: 6 MOS. PRECINCT:	$1.00 (STATE) 1.00 (COUNTY) $2.00	NO	NONE	NONE	NONE	NO STATE-WIDE RULE	A FEW LARGE COUNTIES CITIES & CIVIL DISTRICTS ONLY - PERIODIC (EVERY 2 YEARS)	PROOF OF TAX PAYMENT (CERTIFIED LIST RECEIPT OR AFFIDAVIT) REGISTRATION LIST (WHERE REQUIRED)	
TEXAS	27.3	31	STATE: 1 YR. COUNTY: 6 MOS. (DISTRICT: 6 MOS)	$1.50 (STATE) .25 (COUNTY) $1.75	NO	NONE	NONE	NONE	STATE-WIDE	NONE	TAX RECEIPT (OR AFFIDAVIT OR CERTIFICATE OF EXEMPTION)	MEMBERS OF LEGISLATURE.
FLORIDA	31.5	44	STATE: 1 YR. COUNTY: 6 MOS. PRECINCT:	NONE (ABOLISHED 1937)		NONE	NONE	NONE	STATE-WIDE	PERMANENT (BIENNIAL IN LARGE CITIES & PRECINCTS)	VOTERS LIST COMPILED BY REGISTRARS	GOVERNOR. MEMBERS OF LEGISLATURE MEMBERS OF CONGRESS.
NORTH CAROLINA	44.0	60	STATE: 1 YR. COUNTY: PRECINCT: 4 MOS.	NONE (ABOLISHED 1920)		NONE	ABILITY TO READ & WRITE ANY SECTION OF CONSTITUTION	NONE	NO STATE-WIDE RULE	IRREGULAR (PERMANENT FOR VOTERS REGISTERED UNDER GRANDFATHER CLAUSE)	REGISTRARS LIST	REPRESENTATIVES IN STATE LEGISLATURE
OKLAHOMA	53.5		STATE: 1 YR. COUNTY: 6 MOS. PRECINCT: 30 DAYS	NONE		NONE	READ & WRITE ANY SECTION OF OKLA. CONSTITUTION.	NONE		PERMANENT (THIS REGISTRATION LAW DECLARED UNCONSTITUTIONAL BY U.S. SUPREME COURT IN MAY 1939)	REGISTRATION LIST (OR REQUEST MUST SHOW REGISTRATION CERTIFICATE)	
KENTUCKY	68.0		STATE: 1 YR. COUNTY: 6 MOS. DISTRICT: 60 DAYS	NONE		NONE	NONE	NONE		CITIES OF 3,000 POPULATION OR MORE PERMANENT	AFFIDAVIT IF CHALLENGED REGISTRATION LIST (WHERE REGISTRATION REQUIRED)	

1. NO DIFFERENTIATION HAS BEEN MADE BETWEEN REQUIREMENTS FOR VOTING AND FOR REGISTRATION. IN SOME STATES IT IS NOT NECESSARY TO MEET ALL VOTING REQUIREMENTS IN ORDER TO REGISTER BUT A QUALIFIED VOTER MUST MEET REQUIREMENTS FOR BOTH REGISTRATION AND VOTING SO THAT THIS SUMMARY PRESENTS A PERFECTLY ACCURATE PICTURE OF THE PREREQUISITES FOR ACTUAL VOTING.

2. DATA INCOMPLETE.

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THE FIGHT FOR FREE SPEECH

A brief statement of present conditions in the United States, and of the work of the AMERICAN CIVIL LIBERTIES UNION against the forces of suppression

---

"It is time enough for the rightful purpose of civil government for its officers to interfere when principles break out into overt acts against peace and good order."—

—Thomas Jefferson.

Published by the
AMERICAN CIVIL LIBERTIES UNION
138 West 13th Street
New York City

September, 1921

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The Communist Prosecutions

#10

THE Communist movement in the United States originated as the "Left Wing" of the Socialist Party, which organized in June, 1919. In September, 1919, the Left Wing groups seceded from the Socialist Party, forming two new organizations, the Communist Party and the Communist Labor Party. These two groups in 1920 merged into the United Communist Party, with an irreconcilable group remaining outside under the name of the Communist Party. All the prosecutions, however, have been against members of the original groups.

Both the Communist and Communist Labor Parties adopted revolutionary programs looking ultimately to the elimination of capitalism through a dictatorship of the working-class, as in Russia. Neither advocated any immediate violation of the law, but both approved the principle of strikes for political purposes.

Immediately upon the organization of the Communist parties in 1919, prosecutions began. The federal government attacked alien members under deportation laws; state governments instituted prosecutions under syndicalism, sedition and criminal anarchy laws.

The federal government held that mere membership in the Communist Party by an alien was sufficient to justify his deportation, although the Communist Labor Party was found to be within the law. It is reliably estimated that upwards of 5,000 persons were arrested in wholesale raids in November, 1919, and January, 1920. Between January 1st and May 1, 1920, over 1,500 deportation warrants issued without evidence were cancelled, although 547 persons, mostly Communists, were in the same period ordered deported. In some of these cases proceedings to prevent deportation are still pending in the courts.

The state prosecutions have been chiefly in Illinois, New York and California.

(1) In New York the following persons have been tried and convicted under the so-called Criminal Anarchy Law of 1902 for activity in organizing the Left Wing of the Socialist Party in May, 1919, or for membership in the Communist Party after September, 1919: Benjamin Gitlow, Harry Winitsky, James Larkin, Isaac Edward Ferguson, C. E. Ruthenberg. In each case the maximum sentence was imposed—not less than 5 years nor more than 10 years. All of these men are now in prison and their cases are on appeal.

(2) In Illinois 16 Communist Labor Party members have been sentenced to five years each under the state sedition act of 1919 (Illinois vs. William Bross Lloyd et al.) although similar prosecutions instituted against 85 members of the Communist Party were dropped. The Communist Labor Party cases are on appeal. A sedition trial of a C. L. P. member at Rockford early in 1920 (Ill. vs. Person) resulted in acquittal, and subsequent dismissal of 11 other cases.

(3) In California eleven persons concerned in the activities of the Communist Labor Party, chiefly in Oakland, were indicted under the state criminal syndicalism act early in 1920. Seven of the cases are yet to be tried. Of the four persons tried, James H. Dolson was freed on a disagreement, but is scheduled for a new trial. The other three were convicted and sentenced to from 1 to 14 years in prison—Charlotte Anita Whitney, Rev. John G. Wieler (both out on appeal bonds), John C. Taylor (appeal denied, serving sentence in San Quentin). Alanson Sessions of San Francisco similarly prosecuted, pleaded guilty, recanted and was released on a 10-year probation.

(4) In New Jersey the conviction of Walter Gabriel for membership in the Communist Party was reversed on appeal in March, 1921.

The defense work in most of these cases is being carried on by a "National Defense Committee," of which Edgar Owens of Room 303, 166 W. Washington St., Chicago, is treasurer.

All of these cases present the issue of free speech. In none of them has there been any overt act charged, nor even incitement to any overt act. The question is simply whether a person believing in Communist principles may openly express them. The result of prosecutions has been not to suppress the Communist movement, but to drive it underground, where its propaganda, occasionally coming into view, works unseen.

The danger of this situation was pointed out in New York by the same Grand Jury which indicted Gitlow, Winitsky, Larkin, Ferguson and Ruthenberg. In its final presentment on March 3, 1921, this Grand Jury (the Almirall Grand Jury) said of the Criminal Anarchy Law:

> *"However, it may be wise to consider whether there is need of such a law . . . for the repression of free speech tends directly to the embittered exaggeration of impulses which, if allowed reasonable liberty of expression ,would very largely satisfy or dissipate themselves. It also contributes to the secret spread of subtle propaganda, increasingly dangerous because of the consequent lack of proper opportunity for public debate and criticism."*

Whatever one may think of Communist principles, assistance to the Communist defense will help defeat the policy of persecution, and clear the way to getting economic and political controversy into the open. Continued suppression can make only for bitterness and ultimate blood-shed.

Any contributions may be sent directly to the Treasurer of the National Defense Committee, Edgar Owens, Room 303, 166 W. Washington Street, Chicago, or to the American Civil Liberties Union which will forward them.

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March, 1921

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#11

THE LAWLESS AMERICAN LEGION.

A record of the significant outrages against law and order perpetrated by groups of members of posts of the American Legion in the spirit of its national campaign to "uphold and defend the Constitution....."

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New York City.

June, 1921.

The record is made up from newspaper clippings, frequently backed up by the correspondence of the American Civil Liberties Union. So far as we can learn, no occurences, (except Nos. 10 and 36) have been denied by responsible Legion officials, although in many cases they have stated that the action taken in the Legion's name was not formally authorized.

The evidence frequently indicates that private commerical interests have used the Legion's members and the Legion's name for their own ends. But the exhibit faithfully reflects the spirit which dominates the American Legion as a whole.

This record is by no means complete. We will welcome the addition of any occurrences not listed.

MOB VIOLENCE

1. CALIFORNIA. Loring Hall, Oakland, and the offices of the Oakland "World", a labor paper, were raided and wrecked by members of the American Legion on November 11, 1919. Radical literature was burned. The police, though notified, did not come until after the raid.

Oakland World, 11/14/19

2. CALIFORNIA. I.W.W. headquarters in Industrial Hall, Los Angeles, were raided by unformed ex-service men on November 14, 1919, and the hall wrecked following a fight in consequence of which two men were sent to the hospital.

New York Times, 11/14/19

3. CALIFORNIA. A mob composed of members of the Hollywood Post of Los Angeles forced the management of the Miller theatre to substitute an American film for "The Cabinet of Dr. Caligary", a German-made picture which was showing in April 1921.

4. CALIFORNIA. Arthur W. Clark, editor of the Carpenteria Herald, ex-service man and recently resigned from the Carpenteria Post of the Legion, was taken from his office on May 26, 1921 and horsewhipped by a committee of six members of the Post who had called on him to demand retraction of articles he had written concerning the Legion. Each of the six was fined $100.

Santa Barbara (Cal) Daily News, 5/13/21.

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A YEAR'S FIGHT *for* FREE SPEECH

#12

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The Work of the American Civil Liberties Union from Sept. 1921, to Jan. 1923

"This is a free country, and if you don't believe it you ought to go to jail."

ANY "100% PATRIOT"

"The country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing government, they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it." * * *

ABRAHAM LINCOLN.

"To suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession or propagation of principles on supposition of their ill tendency, is a dangerous fallacy, which at once destroys all liberty; because he being, of course, judge of that tendency, will make his opinions the rule of judgment, and approve or condemn the sentiments of others only as they shall square with or differ from his own.

"It is time enough for the rightful purposes of civil government for its officers to interfere when principles break out into overt acts against peace and good order."

THOMAS JEFFERSON.

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THE DENIAL OF CIVIL LIBERTIES IN THE COAL FIELDS

#13

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BY

WINTHROP D. LANE

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SUPREME COURT

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CIVIL LIBERTY

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Dissenting Opinions
of Justices Brandeis
and Holmes in cases
affecting Civil Liberty

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October, 1927

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There's Only One Kind of Americanism

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By Rupert Hughes

"THERE IS ONLY ONE LIBERTY THAT DESERVES THE NAME, AND THAT IS THE LIBERTY THAT GRANTS EVEN ITS ENEMIES EVERY PRIVILEGE IT CLAIMS FOR ITSELF".

REPRINTED FROM *The American Legion Monthly*, JULY, 1927
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The Fight for Civil Liberty, 1927-28

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The story of the year 1927 — of the courts, laws, police, schools, public opinion — with prospects ahead

"Those who won our independence by revolution were not cowards. They did not fear political change. They did not exalt order at the cost of liberty".

JUSTICES BRANDEIS *and* HOLMES, *in the Whitney case, May,* 1927.

American Civil Liberties Union
100 Fifth Avenue
New York City.

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The

American Civil Liberties Union, Inc.

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What is it?
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What does it do?
Where does it get its money?
Who controls its policies?

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BLUE COATS AND REDS

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Life

"What's he been doin'?"
"Overthrowin' the govment."

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American Civil Liberties Union

(Detroit Branch)

Report of Activities for the Year

1930

"If there is any principle of the Constitution that more imperatively calls for attachment than any other, it is the principle of free thought—not free thought for those who agree with us, but freedom for the thought that we hate."—Justice Oliver Wendell Holmes, U. S. Supreme Court.

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Pg 1

The

American Civil Liberties Union, Inc.

What is it?
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What does it do?
Where does it get its money?
Who controls its policies?

American Civil Liberties Union, Inc.
100 Fifth Avenue
New York City

December, 1930

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The Post Office Ban on

"Revolutionary Age"

- The ban on Revolutionary Age and other radical papers under the war-time Espionage Act, used for the first time in ten years.
- A test case is pending in the federal courts at New York.
- A bill to repeal the censorship powers of the Post Office passed the Senate but failed of action in the House.

Read the facts
Use the coupon on the last page

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What a professional patriot thinks of us and the United States Senate:

"You talk about what the Government knows, but the Government did not know the things you thought it did, and it knows still less now—all of which I hope will be cleaned up by legislation secured by the Fish Committee. It will not have much chance in this short session, because the Civil Liberties Union has already started its fight and can probably rally enough Red Senators to block it, although the Fish Committee may sweep it through."

RALPH M. EASLEY, Chairman
Executive Council, National
Civic Federation.

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The Fight for Civil Liberty 1930-1931

The
American
Civil Liberties
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"Sweet Land of Liberty"

1931-1932

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Still the Fish Committee Nonsense!

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The Answer of the Press to the Fish Committee Proposals to Outlaw Free Speech for Communists

---

An energetic campaign is being waged by the professional patriots to enact the laws recommended by the 1930 Congressional Committee to Investigate Communist Activities headed by Hamilton Fish, Jr.

All over the country the report of that Committee is quoted to discredit the Civil Liberties Union's fight for free speech.

Here are reprinted sample editorials from leading papers, all condemning the Committee's recommendations at the time they were made; and scoring its findings on the Civil Liberties Union.

Use them in the campaign to beat the bills, and offset any use of the report.

See last page.

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TWENTY YEARS *for* FREE SPEECH!

¶ *A young Negro Communist organizer sentenced in Atlanta to 18 to 20 years solely for organizing black and white workers in an unemployed council.*

¶ *Read the amazing facts of this first conviction under an old Georgia statute penalizing incitement to insurrection.*

Help the appeal!

Use the coupon on the back cover.

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LIBERTY under the NEW DEAL

The Record for 1933-34

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Beat the "*Incitement to Disaffection*" Bill!

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A gag measure already passed in the Senate without hearings or a roll call, now reported favorably in the House, would make a crime out of any language or publication which incites any member of the Army or Navy of the United States to disobey laws and regulations. It is backed by Army and Navy officials, professional patriotic organizations and the Hearst press.

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The bill is:
Dangerous,
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Doubtless Unconstitutional,
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Who's Un-American?

An answer to the "patriots"

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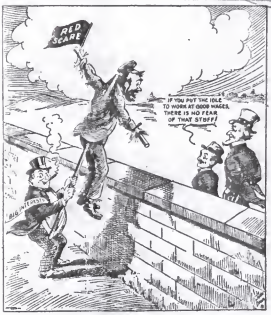

John Baer in "Labor"

Keep this for reference in answering attacks on the American Civil Liberties Union, or "patriotic" demands for suppressing "subversive" movements.

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Collected by
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in collaboration with LUCIEN ZACHAROFF.

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A memorandum on the movement for voluntary and compulsory finger-printing.

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Compulsory Flag Salute In Schools

A survey of the statutes and an examination of their constitutionality

by William G. Fennell
and Edward J. Friedlander,
of the New York Bar

CONTENTS

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	Introduction—Prof. E. C. Lindeman	
I.	The Issue	1
II.	The Statutes	2
III.	Procedure and Remedies	5
IV.	Constitutionality	6
V.	Argument against Mandatory Flag Salute Laws	19

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Who Advocates Violence?

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"NATIONS IN NIGHTSHIRTS"

Address of

Hon. Harold L. Ickes

Secretary of the Interior

at the Seventeenth Annual Meeting
of the American Civil Liberties Union,
December 8, 1937
New York City

▲ ▲ ▲

American Civil Liberties Union
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How Far Has the Court Protected the Bill of Rights?

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A Study of the Record
by
Osmond K. Fraenkel
of the New York Bar

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Old-Fashioned Free Speech

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What American Statesmen and Publicists Have Said On It

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Stand On Employer's Free Speech Right Asked

WASHINGTON, June 4. — The American Civil Liberties Union asked the Labor Relations Board today to clarify the employer's rights of free speech under the Labor Relations Act.

Arthur Garfield Hayes, counsel to the union, wrote Chairman J. Warren Madden of the Labor Board:

"In the event th[illegible] labor relations board [illegible] its attempt to restr[illegible] speech of employ[illegible] constitut[illegible] union

years ago Chief Justice [illegible] told the American Bar Association that one of the principal [illegible] the diversities of [illegible] national needs was greater toler[illegible] ance by tolerant groups toward the intolerant. Perhaps, I think in the [illegible] at least, I find in the [illegible] Civil Liberties Union [illegible] an [illegible] of civil [illegible] use of civil [illegible] trade [illegible]

Tavern Permit Ban Brandec As Fascism

Milwaukee Friday stood accused by the American Civil Liberties union of using Fascist tactics to fight Fascism—and the common council's recently enacted tavern gag resolution is compared to the much publicized tactics of Mayor Frank Hague of Jersey City.

In a telegram to Mayor Hoan, Police Chief Joseph T. Kluchesky and the council, the Civil Liberties Union denounces the resolution [illegible] June 8 which would revoke license of any tavern in which [illegible] held meetings of the Silvan[illegible] the Protective league and [illegible] groups fomenting racial [illegible] gious hatred."

[illegible]nion, in the telegram signed [illegible] Arthur Garfield Hayes, counsel, [illegible] Roger N. Baldwin, director, [illegible]

Civil Liberties Union Protests Minton T[illegible]

Letter to Senator C[illegible] Use of Income [illegible] turns Against W[illegible] Before Lobby

From the Herald Tribune Bu[illegible]

WASHINGTON, June 1[illegible] — [illegible] usual alliance with con[illegible] critics of the Senate Lobby [illegible] ating committee, the Ci[illegible] Civil Liberties Union [illegible] day the use of income condemn[illegible] against certain committees wit[illegible] Such returns were made ava[illegible] recently by the Treasury De[illegible] ment through Presidential [illegible]

In a letter to Senator Sherma[illegible] Minton, committee chairman, the [illegible] vil Liberties Union recognized the [illegible] ultimate use of subpoenas for financial records, with [illegible] to appeal [illegible]

Civil Liberties [illegible]

Opposing Bar's Contempt Charge Over Editorials

Los Angeles, July 11—With argu[illegible] ments concluded by Attorneys T. [illegible] Cosgrove, representing the Los An[illegible] geles Times, and A. L. Wirin, repre[illegible] senting the American Civil Liberties Union, and appearing as a friend o[illegible] the court, attorneys for the Los An[illegible] geles Bar Association this week are arguing in opposition to a demurrer filed by the Times in the contempt o[illegible] court action brought by the Bar As[illegible]

CIVIL LIBERTIES UNION PROTESTS IN BEHALF OF KLAN

Objects to Denial of Permit to Parade in Toledo to Order It Opposes

NEW YORK, Oct. 21.—The American Civil Liberties Union, long a [illegible] the Ku Klux Klan, pro[illegible] y Manager John Edy of [illegible] last week against the [illegible] city permit for a Klan [illegible]

[illegible]nt to Edy said: "If [illegible] tions are to be [illegible] free speech [illegible] Civil Liberties Union Lauds [illegible] ne for Stand on Bands [illegible]

[illegible] Times commends [illegible] Civil Liberties Un[illegible] ng to defend Mrs. [illegible] ing, author of "The [illegible] against the charge [illegible] would aid Mrs. Dilling because [illegible] disapproves of radio censorship. [illegible] This follows promptly the protest [illegible] of the union to Senator Minton [illegible] against using income-tax returns [illegible] to intimidate witnesses before [illegible] his committee investigating lobby [illegible] activities, and its warning to the [illegible] National Labor Relations Board [illegible] that it would be alert to defend [illegible] employers against any attempt to [illegible] restrict their freedom of speech. [illegible] "The action of the Civil Liberties [illegible] Union," says the New York Times, [illegible] "also serves to emphasize the almost complete silence of conservative groups, chambers of com[illegible] merce and others, regarding May[illegible] or Frank Hague's ban on free [illegible] ch in Jersey City . . . It is [illegible] one for the conservatives to recognize that they cannot demand [illegible]

EVERYBODY'S RIGHTS

FOE OPPOSES BAN ON KLAN

By Scripps-Howard Newspaper Alliance

NEW YORK, Oct. 22.—[illegible] mands for civil rights of bo[illegible] Klux Klansmen and C[illegible] ganizers are among latest [illegible] tes of the American Civil L[illegible] ties Union.

The Union, which has vigoro[illegible] ly opposed the Klan and its doc[illegible] trines, nevertheless wired to Cit[illegible] Manager John Edy of Toledo a [illegible] protest at his refusal of a parade permit for the Klan.

Takes Up Cudgel On Klan's Behalf

(By Scripps-Howard News Alliance)

NEW YORK, Oct. 25—Demands for civil rights of bo[illegible] Ku Klux Klansmen and C[illegible] [illegible]ers are among the la[illegible] of the American [illegible] Union. [illegible]

Civil Liberties Union To Back Woman Author

By a Staff Correspondent

NEWARK, June 21—The Civil Liberties Union today [illegible] Kenilworth, Ill., author of "Tying Red's Wings," charging that the standard Network, offering a [illegible] radio broadcasting chain of recent radio broadcasting stations, [illegible] WOR [illegible] Dilling [illegible] [illegible] Mrs. [illegible] [illegible] [illegible]

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The Fingerprint Menace to Civil Liberties

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May, 1939

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Civil Liberties in American Colonies

APR 13 1978 X-JC 599 .U5 A5
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This pamphlet is published to bring before the American public the issues of democratic rights in our island territories for the purpose of arousing support for remedial legislation in Congress.

(Acme)

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Campaigns for Civil Liberty - 1939

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Here are our general campaigns. Lend your support. Tear off and return the form below. Sign up to get on the special mailing lists so that you may know when and how to help.

Freedom of Opinion

1. Educational campaign on behalf of the Bill of Rights through radio, motion pictures and publications.

2. Opposition to all forms of gag legislation curtailing freedom of speech, press or assemblage; and all legal restrictions on the right of suffrage.

3. Campaign against the array of laws and regulations restricting freedom in education, both in schools and colleges; particularly against compulsory oaths of loyalty for teachers, and compulsory flag saluting for children.

4. Defense of religious liberty, maintaining separation of church and state, especially in public education; opposition to any form of compulsion on religious conscience.

5. Changes in the immigration and deportation laws to end restrictions merely because of political opinions; and to admit and protect genuine political refugees.

6. Campaigns to open all areas or cities where the rights to meet and organize are denied.

Rights of Labor

7. Continuous support of labor's rights to organize, strike and picket and to bargain collectively, especially through the National Labor Relations Act and similar state acts. Opposition to martial law, suspending civil law, in strikes. Prosecution of vigilantes or other lawless elements attacking strikers' or non-strikers' rights.

8. Defense of the rights of the unemployed to organize, demonstrate and petition without interference or penalties; maintenance of the right of relief workers to organize and protest without penalty.

9. Campaign for state labor injunction laws modeled on the federal law and those adopted by seventeen states.

Censorship

10. Greater freedom on the air by setting aside radio time for public discussion, requiring equal facilities for both sides of controversial topics; opposition to governmental censorship in any form.

11. Change in the bureaucratic Post Office censorship by requiring trial by jury for excluded matter, as now in effect in the Customs service concerning matter imported from abroad.

12. Abolition of the motion picture censorship boards in seven states, leaving sole control of movies to public opinion and, in extreme cases, criminal prosecution; opposition on the same basis to censorship of books and plays.

Racial Minorities

13. Aid in the campaign against lynching; and in the struggle against racial discriminations.

14. Extension of civil rights in colonies under American control, with autonomy or ultimate independence, if so desired.

15. Protection of the civil rights of the American Indians on reservations, with Indian control of lands and local government.

Other Rights

16. Opposition to compulsory fingerprinting and so-called voluntary measures intended to accomplish universal fingerprinting.

17. Support of measures to curtail or eliminate the Third Degree.

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A STATEMENT

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to members and friends

of the

AMERICAN CIVIL LIBERTIES UNION

Concerning the Resolution Fixing Qualifications for Membership on our Guiding Committees and Staff

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May, 1940

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Why We Defend Civil Liberty Even for Nazis, Fascists and Communists

A Statement
By the Board of Directors of the
American Civil Liberties Union

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October, 1940

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A Report of the American Civil Liberties Union in the Third Year of the War

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THE CONSTITUTION OF THE UNITED STATES is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine involving more pernicious consequences was ever invented by wit of man than that any of its provisions can be suspended during any of the great exigencies of government.

—*U.S. Supreme Court, in the Milligan case*

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Should anti-democratic propaganda be suppressed?

Where draw the line?

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Who sets its policies?

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A NATIONAL PROGRAM FOR CIVIL RIGHTS

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"Our way of life — the free way of life — holds a promise of hope for all people. We have perhaps the greatest responsibility ever placed upon a people to keep this promise alive. Only still greater achievements will do it."

—From the Report of the President's Committee on Civil Rights

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296 *April, 1948*

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WHAT PRICE FREEDOM?

By
ROBERT M. HUTCHINS
Chancellor, University of Chicago

Text of Address at Chicago University Convocation, June 1949

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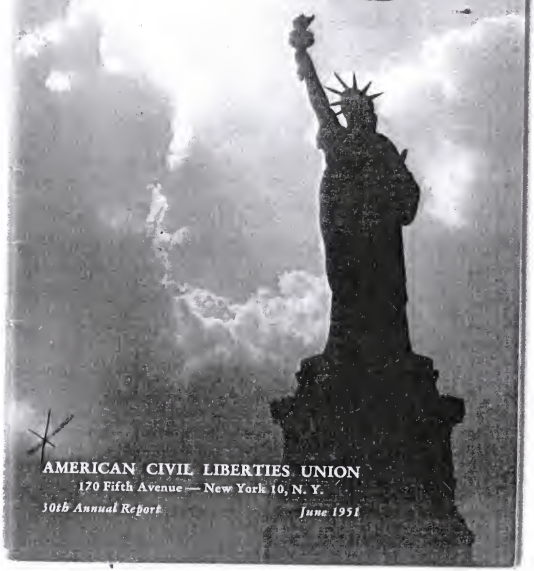

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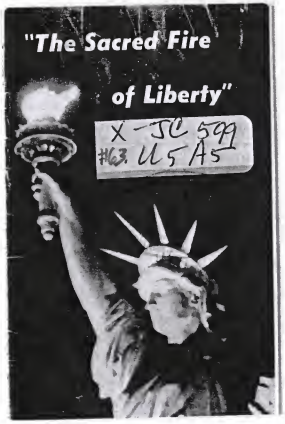
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